



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Revenue

Subject of possible rule making: ESSB 6169 authorizes the Department of Revenue (Department) to electronically serve a notice and order to withhold and deliver to any financial institution in the form of a listing of unsatisfied tax warrants filed under chapter 82.32 RCW. The Department is considering adopting a rule explaining the procedure for electronic issuance of these notices.

Statutes authorizing the agency to adopt rules on this subject: RCW 82.32.300 and 82.01.060(2)

Reasons why rules on this subject may be needed and what they might accomplish: The Department believes a rule is needed to implement the provisions of ESSB 6169 authorizing the electronic service of a notice and order to withhold and deliver to financial institutions. The Department anticipates this rule would explain the process for the electronic issuance of a notice and order to withhold and deliver, and the responsibility of the financial institution being served such a notice.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Department of Financial Institutions (DFI) regulates financial institutions, but does not regulate the Department's authority to serve or the financial institution's responsibility to respond to a notice and order to withhold and deliver. The Department will notify DFI of this rule making.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) Parties interested in this rule making may contact the individual listed

below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: A preliminary draft of a flow chart showing how the process might work is available on the Department's [Rule making agenda](#) web page.

The Department is at this time requesting written comments by November 13, 2009, and anticipates later scheduling a CR102 public hearing. Written comments should be directed to either of the following:

Department of Revenue
Compliance Division – CRRT
PO Box 14699
Tumwater, WA 98511-4699

e-mail: dorewithholds@dor.wa.gov

Questions may also be directed to:

Walt Tanimoto
Phone: (360) 725-7331, or
Bobbi Carter
Phone: (360) 725-7308

Date October 21, 2009

Name (type or print)

Alan R. Lynn

Signature

Title

Rules Coordinator

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STATE OF WASHINGTON
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